IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1832 OF 2007.

(Mohan Bhayyalal Khorgade. Vs. Western Coal Fields Ltd..)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

Mr. A.V.Muley, Advocate for Petitioner.
Mr. S.C. Mehadia, Advocate for Respondent.

CORAM : A.H.JOSHI AND R.C.CHAVAN, JJ.
DATED : JULY 04, 2007.

1. From the affidavit in reply we find that the petitioner was referred to Medical Board. Now, the petitioner is trying to raise submission that the Board did not consist of three members but only one Doctor has examined him. It is also seen that the petitioner had refused to put his thumb impression when he was medically examined.

2. It was open for the petitioner to have raised whatever objection he had by preferring complaint etc. to the higher authorities. The petitioner seems to have apprehension than actual sufference. The petitioner cannot keep himself away from work on the pretext of medical unfitness. However, if he suffers actually after joining duty, nothing prevents him from availing further medical help.

3. In these circumstances, no interference is called for under Article 226 or 227 of the Constitution, the petition is, therefore, dismissed.

JUDGE. **JUDGE.**

RR.